

of the State of Washington

DIGEST SUPPLEMENT

To Legislative Digest and History of Bills **Supplement No. 44***

FIFTY-SEVENTH LEGISLATURE

Thursday, March 15, 2001

67th Day - 2001 Regular

	SENATE	НС	OUSE
SB 5323-S	SB 5912-S	HB 1118-S	HB 1867-S
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SB 5492-S	SB 5922-S	HB 1259-S	HB 1950-S
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House Bills

HB 1118-S by House Committee on Transportation (originally sponsored by Representatives Lovick, Delvin, O'Brien, Armstrong, Ogden, Edmonds, Cooper, Fisher, Boldt, Mitchell, Simpson and Fromhold)

Regulating traffic safety cameras.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares that the use of traffic safety cameras is subject to the following regulations:

- (1) The appropriate local legislative authority must first enact an ordinance, or the department of transportation must first establish traffic safety camera zones, allowing for their use to detect one or more of the following: Speeding, stoplight, or railroad crossing violations;
- (2) Traffic safety cameras may take pictures of the vehicle and vehicle license plate only and only while an infraction is occurring.

Provides that, under their respective jurisdictions, the law enforcement agency or the department of transportation shall plainly mark the locations where the automated traffic enforcement system is used by placing signs on street locations that clearly indicate to a driver that he or she is entering a zone where traffic laws are enforced by an automated traffic enforcement system.

Provides that infractions detected through the use of traffic safety cameras will be recorded as are stopping, standing, or parking violations under RCW 46.61.560, but are not part of the registered owner's driving record under RCW 46.52.101 and 46.52.120.

Provides that by January 1, 2002, and for four years thereafter, the Washington traffic safety commission shall provide the chairs of the senate and house transportation committees a report regarding the use, outcomes, and other relevant issues of traffic safety cameras in this state.

Provides that the legislature respectfully request the Washington state supreme court to amend the Infraction Rules for Courts of Limited Jurisdiction to conform to this act. Furthermore, the legislature respectfully asks the court to create a notice of infraction that is consistent with this act.

-- 2001 REGULAR SESSION --

Mar 6 TR - Majority; 1st substitute bill be substituted, do pass.

Minority; without recommendation.

Mar 9 Passed to Rules Committee for second reading.

HB 1157-S by House Committee on Transportation (originally sponsored by Representatives Murray, Hankins, Lovick, Fisher and Keiser)

Directing a study on rebuilt vehicles.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Directs the department to conduct a study to determine the feasibility and impact of the following: (1) Extending the current definition of a salvage vehicle to apply to vehicles having a model year designation of a calendar year that is at least twenty-five years before the calendar year in which the vehicle was wrecked, destroyed, or damaged; and

(2) Disclosing on a vehicle's certificate of ownership and certificate of license registration that the vehicle was rebuilt after becoming a salvage vehicle.

Requires the department to submit a report to the transportation committees of the house and senate by December 1, 2001, which must include recommendations on the required age a vehicle should be to be included in the definition of a salvage vehicle.

-- 2001 REGULAR SESSION --

Mar 6 TR - Majority; 1st substitute bill be substituted, do pass.

Minority; without recommendation.

Mar 9 Passed to Rules Committee for second reading.

HB 1174-S by House Committee on Judiciary (originally sponsored by Representatives Hurst, Carrell, Lantz, Lovick and O'Brien)

Authorizing vacation of records of conviction for misdemeanor and gross misdemeanor offenses.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that every person convicted of a misdemeanor or gross misdemeanor offense who has completed all of the terms of the sentence for the misdemeanor or gross misdemeanor offense may apply to the sentencing court for a vacation of the applicant's record of conviction for the offense.

Declares that if the court finds the applicant meets the tests prescribed in this act, the court may in its discretion vacate the record of conviction by: (1)(a) Permitting the applicant to withdraw the applicant's plea of guilty and to enter a plea of not guilty; or (b) if the applicant has been convicted after a plea of not guilty, the court setting aside the verdict of guilty; and

(2) The court dismissing the information, indictment, complaint, or citation against the applicant and vacating the judgment and sentence.

-- 2001 REGULAR SESSION --

Feb 27 JUDI - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

Mar 11 Placed on second reading by Rules Committee.

Mar 12 1st substitute bill substituted.

Rules suspended. Placed on Third Reading.

Third reading, passed: yeas, 98; nays, 0; absent, 0.

- IN THE SENATE -

Mar 14 First reading, referred to Judiciary.

HB 1259-S by House Committee on Appropriations (originally sponsored by Representatives Tokuda, Boldt, Kagi, Schual-Berke, Kenney, Lambert and Edwards; by request of Department of Social and Health Services)

Providing services for persons twenty years of age who are or who have been in foster care.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides authority to provide independent living services to youths, including individuals eighteen through twenty years of age, who are or have been in foster care.

-- 2001 REGULAR SESSION --

Mar 8 APP - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

Mar 11 Placed on second reading by Rules Committee.

Mar 12 1st substitute bill substituted.

Rules suspended. Placed on Third Reading.

Third reading, passed: yeas, 98; nays, 0; absent, 0.

- IN THE SENATE -

Mar 14 First reading, referred to Human Services & Corrections.

HB 1301-S by House Committee on Appropriations (originally sponsored by Representatives Cody, Campbell, Conway, Pennington, Ruderman, Edmonds, Edwards, Kenney, Rockefeller, McIntire and Schual-Berke)

Requiring uniform prescription drug information cards.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares an intent to improve care to patients by minimizing confusion, eliminating unnecessary paperwork, decreasing administrative burdens, and streamlining dispensing of prescription products paid for by third-party payors.

Declares that a health carrier that provides coverage for prescription drugs provided on an outpatient basis and issues a card or other technology for claims processing, or an administrator of a health benefit plan including, but not limited to, third-party administrators for self-insured plans, pharmacy benefits managers, and state administered plans, shall issue to its enrollees a pharmacy identification card or other technology containing all information required for proper claims adjudication.

Declares that this act applies to health benefit plans that are delivered, issued for delivery, or renewed on or after July 1, 2003.

-- 2001 REGULAR SESSION --

Mar 8 APP - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second

reading.

HB 1429-S by House Committee on Transportation (originally sponsored by Representatives Fisher, Woods and Rockefeller)

Assisting toll collection for the Tacoma Narrows bridge.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises provisions relating to enforcement, collection, and use of tolls on the Tacoma Narrows bridge.

Declares that the use of electronic tolling systems is subject to the following regulations:

- (1) Electronic tolling systems may take pictures of the vehicle and vehicle license plate only.
- (2) A notice of infraction must be mailed to the registered owner of the vehicle.
- (3) A person receiving a notice of an infraction based on evidence detected by an electronic tolling system may respond to the notice by mail.

Declares that infractions detected through the use of electronic tolling systems will be recorded as are stopping, standing, or parking violations under RCW 46.61.560, but are not part of the registered owner's driving record under RCW 46.52.101 and 46.52.120.

Requires a developer under chapter 47.46 RCW to work with the department of transportation to ensure that the developer's automatic vehicle identification transponders are compatible with other electronic payment devices or transponders from the Washington state ferry system and other public transportation systems or are able to use other automatic vehicle identification transponders in conjunction with the developers without establishing a separate toll account.

Requests the Washington state supreme court to amend the Infraction Rules for Courts of Limited Jurisdiction to conform to this act. Furthermore, the legislature respectfully asks the court to create a notice of infraction that is consistent with this act.

-- 2001 REGULAR SESSION --

Mar 8 TR - Majority; 1st substitute bill be substituted, do pass.

Minority; without recommendation.

Mar 9 Passed to Rules Committee for second reading.

HB 1452-S2 by House Committee on Appropriations (originally sponsored by Representatives Linville, G. Chandler, Ruderman, Cooper, Barlean,

Ericksen, Quall, Marine, Conway, Rockefeller, Kenney,

Pearson, Schual-Berke, Van Luven, Kagi, Keiser, Santos and Wood; by request of Utilities & Transportation Commission)

Ensuring a sustainable, comprehensive pipeline safety program in the state.

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

Declares the intent of this act is to ensure a sustainable, comprehensive, pipeline safety program, to protect the health and safety of the citizens of the state of Washington, and maintain the quality of the state's environment.

Finds that public safety and the environment are best protected by securing permanent funding for this program through establishment of a regulatory fee imposed on hazardous liquids and gas pipelines.

Provides that every gas company and every interstate gas pipeline company subject to inspection or enforcement by the commission shall pay an annual pipeline safety fee to the commission. At a minimum, the fees established under this section must be sufficient to adequately fund pipeline inspection personnel, the timely review of pipeline safety and integrity plans, the timely development of spill response plans, the timely development of accurate maps of pipeline locations, participation in federal pipeline safety efforts to the extent allowed by law as now or hereafter amended, and the staffing of the citizen committee on pipeline safety at levels the committee determines needed to provide oversight.

Requires the commission to by rule establish the methodology it will use to set the appropriate fee for each entity subject to this act. The methodology shall provide for an equitable distribution of program costs among all entities subject to the fee. In establishing the methodology, the commission shall create an incentive program for allocating fees for pipeline safety in collaboration with the citizens committee.

Directs the commission to review staff utilization, inspection activity, fee methodology, and costs of the interstate pipeline safety program and report to the appropriate legislative committees by November 15, 2002. Repeals RCW 81.88.050 and 81.88.130.

-- 2001 REGULAR SESSION --

Mar 8 APP - Majority; 2nd substitute bill be substituted, do pass.

Minority; without recommendation.

Passed to Rules Committee for second reading.

HB 1499-S2 by House Committee on Appropriations (originally sponsored by Representatives Jackley, Buck, Rockefeller, Eickmeyer, Sump, Doumit, Pennington and Dunn)

Regulating marine fin fish aquaculture.

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

Finds that marine aquaculture net pen facilities in Washington state have accidentally released Atlantic salmon into Puget Sound.

Declares that it is necessary to minimize escapes through the implementation of statewide prevention measures.

Requires the director, in cooperation with the marine fin fish aquatic farmers, to develop proposed rules for the implementation, administration, and enforcement of marine fin fish aquaculture programs. In developing such proposed rules, the director must use a negotiated rule-making process pursuant to RCW 34.05.310. The proposed rules shall be submitted to the appropriate legislative committees by January 1, 2002, to allow for legislative review of the proposed rules.

Provides that rules to implement this act shall be adopted no sooner than thirty days following the end of the 2002 regular legislative session. The director shall provide a written report to the appropriate legislative committees by January 1, 2003, on the progress of the program.

-- 2001 REGULAR SESSION --

Mar 8 APP - Majority; 2nd substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

Mar 11 Placed on second reading by Rules

Mar II Placed on second reading by Rules Committee.

Mar 12 2nd substitute bill substituted.

Rules suspended. Placed on Third Reading.

Third reading, passed: yeas, 94; nays, 0; absent, 4.

- IN THE SENATE -

Mar 14 First reading, referred to Natural Resources, Parks & Shorelines.

HB 1562-S2 by House Committee on Appropriations (originally sponsored by Representatives Talcott, Quall and Keiser; by request of Governor Locke, Academic Achievement and Accountability Commission and State Board of Education)

Adopting recommendations of the academic achievement and accountability commission.

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

Adopts recommendations of the academic achievement and accountability commission.

Repeals RCW 28A.655.035 and 28A.655.050.

Provides that the act shall be null and void if appropriations are not approved.

-- 2001 REGULAR SESSION --

Mar 8 APP - Majority; 2nd substitute bill be substituted, do pass.
Minority; without recommendation.

Passed to Rules Committee for second reading.

HB 1607-S2 by House Committee on Appropriations (originally sponsored by Representatives Anderson, Haigh, Talcott, Quall, Keiser, Kenney, Schual-Berke, Edmonds, Rockefeller, McIntire, O'Brien, Darneille and Santos; by request of Governor Locke and Superintendent of Public Instruction)

Creating alternative routes to teacher certification.

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

Finds and declares: (1) Teacher qualifications and effectiveness are the most important influences on student learning in schools.

- (2) Preparation of individuals to become well-qualified, effective teachers must be high quality.
- (3) Teachers who complete high-quality alternative route programs with intensive field-based experience, adequate coursework, and strong mentorship do as well or better than teachers who complete traditional preparation programs.
- (4) High-quality alternative route programs can provide more flexibility and expedience for individuals to transition from their current career to teaching.
- (5) High-quality alternative route programs can help school districts fill subject matter shortage areas and areas with shortages due to geographic location.
- (6) Regardless of route, all candidates for teacher certification must meet the high standards required by the state.

Requires the Washington state institute for public policy to submit to the education and fiscal committees of the legislature, the governor, the state board of education, and the Washington professional educator standards board, an interim evaluation of partnership grant programs funded under this chapter by December 1, 2002, and a final evaluation by September 1, 2004.

Provides that the act shall be null and void if appropriations are not approved.

-- 2001 REGULAR SESSION --

Mar 8 APP - Majority; 2nd substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

Mar 11 Placed on second reading by Rules Committee.

Mar 13 2nd substitute bill substituted.

Rules suspended. Placed on Third Reading.

Third reading, passed: yeas, 87; nays, 6; absent, 5.

HB 1736-S by House Committee on Transportation (originally sponsored by Representatives Hatfield, Mitchell, Hurst, Talcott and Schoesler)

Requiring specific motor vehicle dealers to meet education and bonding requirements in order to receive a motor vehicle dealer's license.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires specific motor vehicle dealers to meet education and bonding requirements in order to receive a motor vehicle dealer's license.

-- 2001 REGULAR SESSION --

Mar 7 TR - Majority; 1st substitute bill be substituted, do pass.
 Minority; without recommendation.

 Mar 9 Passed to Rules Committee for second reading.
 Mar 12 Placed on second reading by Rules Committee.

HB 1759-S by House Committee on Health Care (originally sponsored by Representatives Darneille, Schual-Berke, McDermott, Santos, Murray, Tokuda and Wood)

Allowing for the sale of hypodermic syringes and needles to reduce the transmission of bloodborne diseases.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Authorizes the sale of hypodermic syringes and needles to reduce the transmission of bloodborne diseases.

Declares that it is lawful for any person over the age of eighteen to possess up to ten sterile hypodermic syringes and needles for the purpose of reducing bloodborne diseases.

Declares that nothing contained in this act shall be construed to require a pharmacist to sell hypodermic needles or syringes to any person.

Declares that the sale of sterile hypodermic syringes and needles to reduce the transmission of bloodborne diseases is a legal use for the purposes of RCW 70.115.050.

Provides that sales under this act must be limited to individuals over eighteen years of age. A maximum of ten sterile hypodermic syringes and needles may be purchased at one time. The retailer may provide drug prevention and treatment materials at the point of sale.

Provides that the sale of sterile hypodermic syringes and needles under this act is limited to devices with a physical attribute built into them that effectively reduces the risk of an exposure incident by a mechanism such as barrier creation, blunting, encapsulation, withdrawal, retraction, destruction, or other effective mechanism.

-- 2001 REGULAR SESSION --

Feb 27 HC - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

Mar 11 Placed on second reading by Rules

Mar 11 Placed on second reading by Rules Committee.

Mar 12 1st substitute bill substituted.

Rules suspended. Placed on Third Reading.

Third reading, passed: yeas, 79; nays, 16; absent, 3.

- IN THE SENATE -

Mar 14 First reading, referred to Health & Long-Term Care.

HB 1850-S by House Committee on Capital Budget (originally sponsored by Representatives Morris, Cairnes, Alexander, Murray, Rockefeller, Esser, McIntire, Cody, Kagi, Skinner, Veloria, Hankins, Ruderman, Kenney, Darneille, Hunt, Edmonds, Edwards, Keiser, Conway, Linville, Van Luven, Santos and Schual-Berke)

Creating the community health center capital trust fund account.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that current economic conditions and declining resources at the federal, state, and local level adversely affect the ability of low-income and underserved persons to obtain quality and affordable health care. Community health centers provide access to health care to those persons who are otherwise unable to obtain these services.

Declares that it is in the public interest to establish a continuously renewable resource known as the community health center capital trust fund account to assist low and very low-income citizens and other underserved citizens to meet their basic health care needs.

-- 2001 REGULAR SESSION --

Mar 8 CB - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Passed to Rules Committee for second reading.

HB 1866-S by House Committee on Commerce & Labor (originally sponsored by Representatives B. Chandler, Wood, Conway and Clements)

Allowing certain employees to handle beer or wine.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares it is the intent of the legislature to enact legislation dealing with the merchandising of beer and wine by employees between the ages of eighteen and twenty-one on or about a licensee's premises.

-- 2001 REGULAR SESSION --

Feb 27 CL - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

Mar 12 Placed on second reading by Rules Committee.

HB 1867-S by House Committee on Education (originally sponsored by Representatives Linville, Ruderman and Kagi)

Requiring a review of national certification standards for educational staff associates.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares an intent to ask the professional educator standards board to recommend a means to recognize the accomplishments of experienced educational staff associates through an advanced certification process that is comparable to the certification process of the national board for professional teaching standards.

Directs the professional educator standards board to review national certification standards for educational staff associates and recommend a way that Washington may recognize the accomplishments of educational staff associates who successfully complete rigorous, advanced certification that is comparable to the certification of the national board for professional teaching standards.

Provides that, by June 30, 2002, the board shall report its findings and recommendations to the governor, the legislative education and fiscal committees, the state board of education, the superintendent of public instruction, and other interested parties.

-- 2001 REGULAR SESSION --

Feb 26 ED - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Feb 27 Referred to Appropriations.

HB 1891-S by House Committee on Appropriations (originally sponsored by Representatives Mulliken, Schoesler, Veloria, B. Chandler, Van Luven, Linville, G. Chandler, Conway and Dunn)

Increasing the international trade of Washington state agricultural products.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that the export market for Washington's agricultural products has dropped significantly in recent years and that such a drop has negatively impacted the economy in Washington's agricultural regions.

Declares an intent to enhance Washington's international trade of agricultural products by increasing funding for the Washington state department of agriculture's international marketing program in an effort to promote marketing of Washington's products and to assist the agricultural industry in efforts to reduce trade barriers that stand in the way of trade in new and emerging markets.

Provides that the act shall be null and void if appropriations are not approved.

-- 2001 REGULAR SESSION --

Mar 8 APP - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

Mar 11 Placed on second reading by Rules Committee.

Mar 12 1st substitute bill substituted.

Rules suspended. Placed on Third Reading.

Third reading, passed: yeas, 98; nays, 0; absent, 0.

- IN THE SENATE -

Mar 14 First reading, referred to Agriculture & International Trade.

HB 1915-S by House Committee on Finance (originally sponsored by Representatives Cairnes, Morris, H. Sommers, Skinner, Hankins, Kessler, Lisk, Clements, Benson, Delvin, B. Chandler, Veloria, G. Chandler, Conway, Ruderman, Santos, Grant, Barlean and Alexander)

Modifying wine and cider provisions.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Amends RCW 66.24.210 to modify wine and cider provisions by removing a termination date for the portion of the wine tax for the purposes of the wine commission.

-- 2001 REGULAR SESSION --

Mar 6 FIN - Majority; 1st substitute bill be substituted, do pass.

Mar 8 Passed to Rules Committee for second reading.

Mar 11 Placed on second reading by Rules Committee.

Mar 12 1st substitute bill substituted.

Rules suspended. Placed on Third Reading.

Third reading, passed: yeas, 98; nays, 0; absent, 0.

- IN THE SENATE -

Mar 14 First reading, referred to Labor, Commerce & Financial Institutions.

HB 1950-S by House Committee on Commerce & Labor (originally sponsored by Representatives Conway, Clements, Wood, Kenney and Miloscia)

Describing worker rights under industrial insurance.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires notification of worker rights under industrial insurance.

Requires the notice to specify the worker's right to receive health services from a physician of the worker's choice under RCW 51.36.010, including chiropractic services under RCW 51.36.015, and must list the types of providers authorized to provide these services.

Requires an application form developed by the department to include a notice specifying the worker's right to receive health services from a physician of the worker's choice under RCW 51.36.010, including chiropractic services under RCW 51.36.015, and listing the types of providers authorized to provide these services.

-- 2001 REGULAR SESSION --

Feb 27 CL - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Passed to Rules Committee for second reading.

Mar 11 Placed on second reading by Rules Committee.

Mar 12 1st substitute bill substituted.

Rules suspended. Placed on Third Reading.

Third reading, passed: yeas, 98; nays, 0; absent, 0.

- IN THE SENATE -

Mar 14 First reading, referred to Labor, Commerce & Financial Institutions.

HB 2009-S by House Committee on Financial Institutions & Insurance (originally sponsored by Representatives Cairnes, Bush and Roach)

Creating an identity theft bureau.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Creates an identity theft bureau in the Washington state patrol, to consist of assistant attorneys general, law enforcement officers, and representatives of county prosecuting attorneys experienced in the investigation, apprehension, and prosecution of identity theft offenders under chapter 9.35 RCW.

Directs the bureau to coordinate and assist efforts of law enforcement agencies, prosecuting attorneys, and the attorney general in investigating, apprehending, and prosecuting offenders under chapter 9.35 RCW.

Creates an identity theft division in the office of the attorney general to assist citizens in the prevention, education, and prosecution of identity theft. The identity theft division shall: (1) Provide a central point of consumer information and education on issues related to identity theft;

- (2) Provide technical assistance to businesses developing policies regarding the use of nonpublic personal information, including developing model information privacy policies; and
- (3) Assist and coordinate with the identity theft bureau of the Washington state patrol in the prosecution of crimes related to identity theft.

Declares that the following are subject to seizure and forfeiture and no property right exists in them: (1) All tangible or intangible property, including any right or interest in such property, acquired by a person convicted of an offense under this chapter to the extent the acquisition is the direct or indirect result of the convicted person having committed the offense; and

(2) Any property acquired through the traceable proceeds of property described in this act.

Declares that a seizure and forfeiture of property authorized under this act shall be conducted in accordance with the provisions of RCW 7.68.320.

Requires the proceeds of any forfeiture action brought under this act to be distributed as follows: (1) First, to the victims to satisfy any restitution ordered as part of the convicted person's sentence; and

(2) Second, to the Washington state patrol for the operation of the identity theft bureau.

-- 2001 REGULAR SESSION --

Feb 27 FII - Majority; 1st substitute bill be substituted, do pass.

Referred to Appropriations.

HB 2025-S2 by House Committee on Appropriations (originally sponsored by Representatives Santos, Talcott, Quall, Keiser, Ogden, Tokuda, Schual-Berke and Kenney)

Changing transitional bilingual instruction program provisions.

(DIGEST OF PROPOSED 2ND SUBSTITUTE)

Directs the superintendent of public instruction to review the criteria used to determine the point at which limited English proficient students are required to take the Washington assessment of student learning. The review shall be used to determine if the criteria are developmentally appropriate and in the best interest of the students.

Provides that, in conducting the review, the superintendent shall consult with parents, teachers, principals, classroom aides, recognized experts in second-language instruction, and statewide ethnic organizations that represent second-language learners. Results of the review shall be reported to the education and fiscal committees of the legislature by November 1, 2001.

Provides that the results of the Washington assessment of student learning for students receiving instructional services in the state transitional bilingual program shall not be included in a school's assessment results unless the students have been in the United States for a total of thirty-six months or more. The results may be used to track student progress in meeting the state's essential academic learning requirements.

Directs the superintendent of public instruction to develop and implement an evaluation system designed to measure increases in the English and academic proficiency of eligible pupils. Requires a report to the education and fiscal committees of the legislature by November 1, 2002, regarding the implementation of this act.

Provides that the act shall be null and void if appropriations are not approved.

-- 2001 REGULAR SESSION --

Mar 8

APP - Majority; 2nd substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

Mar 11

Placed on second reading by Rules Committee.

Mar 12

2nd substitute bill substituted.

Rules suspended. Placed on Third Reading.

Third reading, passed: yeas, 98; nays, 0; absent, 0.

- IN THE SENATE -

Mar 14 First reading, referred to Education.

HB 2159-S by House Committee on Transportation (originally sponsored by Representatives Mitchell, Fisher and Hankins)

Maintaining and preserving transportation facilities and assets.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that reducing wear and tear, providing costeffective maintenance and rehabilitation, and identifying and addressing traffic congestion is essential.

Finds that the state should develop the analytic tools needed to measure the benefits and costs for all modes by using a common methodology. Use of a common methodology enables achievement of the goal to invest in the most effective mix of strategies, bolstered by benefit-cost analysis so that the investment benefits are quantifiable and achievable, and the outcomes will increase mobility and choices for the traveling public.

Requires the transportation commission or its successor entity to report the results of the following to the transportation committees of the senate and house of representatives by December 1, 2001:

- (1) The priority programming used by the transportation commission especially as it measures benefits and costs under RCW 47.05.010, 47.05.030, and 47.05.051;
- (2) An evaluation of the results of the life cycle cost methodologies developed by the department of transportation under RCW 47.06.050 and 47.06.090 to determine if they meet the benchmarks established by the commission.

-- 2001 REGULAR SESSION --

Mar 6 TR - Majority; 1st substitute bill be substituted, do pass.

Mar 9 Passed to Rules Committee for second reading.

HB 2171-S by House Committee on Transportation (originally sponsored by Representatives Mitchell, Cooper, Ericksen, Fisher and Haigh)

Studying distribution of ORV funds.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires the interagency committee for outdoor recreation and the department to jointly contract with an independent entity to study the sources and make recommendations on the distribution and use of funds provided to off-road vehicle and nonhighway road recreational activities under RCW 46.09.170.

Requires the study to analyze and determine the relative portion of the motor vehicle fuel tax revenues deposited to the general fund under RCW 46.09.170 that are attributable to vehicles operating off road or on nonhighway roads for recreational purposes as provided in RCW 46.09.170.

Requires the interagency committee for outdoor recreation and the department to jointly review the analysis and submit a report to the appropriate standing committees of the legislature, including recommendations regarding amendments to RCW 46.09.170 to allocate revenues consistent with the relative proportion for the uses generating the revenues. The report must be submitted no later than January 1, 2003.

-- 2001 REGULAR SESSION --

Mar 7 TR - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Mar 9 Passed to Rules Committee for second reading.

Mar 13 Placed on second reading by Rules Committee.

HB 2221-S by House Committee on Transportation (originally sponsored by Representatives Mielke, Rockefeller and Jackley)

Adjusting procedures for ferry maintenance and preservation.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises procedures for ferry maintenance and preservation.

Provides that the department is authorized to negotiate contracts for any amount without bid under (1) and (2) of this provision: (1) Emergency contracts; and

(2) Single source contracts for vessel dry dockings, when there is clearly and legitimately only one available bidder to conduct dry dock-related work for a specific class or classes of vessels. The contracts may be entered into for a single vessel dry docking or for multiple vessel dry dockings for a period not to exceed two years.

Provides that, when issuing a request for proposal for the procurement of propulsion equipment or systems that include an engine, the request for proposal must specify the use of a life cycle cost analysis that includes an evaluation of fuel efficiency.

Declares that, if the department is procuring large equipment or systems (e.g., electrical, propulsion) needed for the support, maintenance, and use of a ferry operated by Washington state ferries, the department shall proceed with a formal request for proposal solicitation under this act without a determination of necessity by the secretary.

-- 2001 REGULAR SESSION --

Mar 8 TR - Majority; 1st substitute bill be substituted, do pass.

Mar 9 Passed to Rules Committee for second reading.

Mar 11 Placed on second reading by Rules Committee.

Mar 12 1st substitute bill substituted.

Rules suspended. Placed on Third Reading.

Third reading, passed: yeas, 95; nays, 0; absent, 3.

- IN THE SENATE -

Mar 14 First reading, referred to Transportation.

House Joint Memorials

HJM 4010-S by House Committee on Finance (originally sponsored by Representatives Dunn, Fromhold, Pennington, Ogden, Hatfield, Mielke, Boldt and Grant)

Requesting fair tax treatment of Washington residents working in Oregon.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Urges the Legislature of the State of Oregon to ensure fair tax treatment of Washington residents working in Oregon by reducing the Oregon income tax to a level commensurate with services received by these Washington residents.

-- 2001 REGULAR SESSION --

Mar 7 FIN - Majority; 1st substitute bill be substituted, do pass.

Mar 8 Passed to Rules Committee for second reading.

Mar 11 Placed on second reading by Rules Committee.

Mar 13 1st substitute bill substituted.

Rules suspended. Placed on Third Reading.

Third reading, passed: yeas, 94; nays, 0; absent, 4.

House Concurrent Resolutions

HCR 4409-S by House Committee on Capital Budget (originally sponsored by Representatives Alexander, Murray, Kenney, Cox, O'Brien, D. Schmidt, Hankins, McIntire, Edwards and Esser)

Creating a joint select committee to review future facilities needs for higher education.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Establishes a joint select committee on the future facility needs of higher education to review the proposed higher education enrollment levels in the state master plan, review the facility needs for future students, review the preservation needs for higher education facilities, and review the funding options for preservation and additional higher education facilities in the state.

Requires the committee to report its findings and recommendations to the legislature at the regular session held in 2002.

-- 2001 REGULAR SESSION --

Mar 8 CB - Majority; 1st substitute bill be substituted, do pass.

> Passed to Rules Committee for second reading.

Senate Bills

SB 5323-S by Senate Committee on Judiciary (originally sponsored by Senators Kline, Constantine, Hargrove and Thibaudeau)

Authorizing vacation of records of conviction for misdemeanor and gross misdemeanor offenses.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that every person convicted of a misdemeanor or gross misdemeanor offense who has completed all of the terms of the sentence for the misdemeanor or gross misdemeanor offense may apply to the sentencing court for a vacation of the applicant's record of conviction for the offense.

Declares that if the court finds the applicant meets the tests prescribed in this act, the court may in its discretion vacate the record of conviction by: (1)(a) Permitting the applicant to withdraw the applicant's plea of guilty and to enter a plea of not guilty; or (b) if the applicant has been convicted after a plea of not guilty, the court setting aside the verdict of guilty; and

(2) The court dismissing the information, indictment, complaint, or citation against the applicant and vacating the judgment and sentence.

-- 2001 REGULAR SESSION --

JUD - Majority; 1st substitute bill be Mar 5 substituted, do pass. Minority; do not pass.

On motion, referred to Ways & Means.

SB 5354-S Senate Committee by on Labor, Commerce & Financial Institutions (originally sponsored by Senators Patterson, Prentice, Winsley, Fraser, Fairley, Costa, Regala and McAuliffe; by request of Department of Community, Trade, and Economic Development)

Modifying mobile home relocation assistance.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises provisions relating to mobile home relocation assistance.

Provides that a fifty dollar fee is imposed upon the buyer on every transfer of title issued under chapter 46.12 RCW on a mobile home where (1) the ownership of the mobile home changes; and (2) the mobile home is located in a mobile home park. However, the fee does not apply to the sale of any new mobile home that is located in a mobile home park if the home has not previously been occupied as a residence.

Provides that mobile homes with a sale price of less than one thousand dollars are not subject to the fee imposed in this act.

Requires the department of licensing or its agents to collect the fee when processing an application for transfer of title. The fee collected under this section shall be forwarded to the state treasurer for deposit into the mobile home park relocation fund created in this act.

-- 2001 REGULAR SESSION --

LCF - Majority; 1st substitute bill be Mar 5 substituted, do pass.

Passed to Rules Committee for second reading.

Mar 12 Made eligible to be placed on second reading.

SB 5419-S by Senate Committee on Judiciary (originally sponsored by Senators Patterson, Long, Hargrove, Kline, Winsley Kohl-Welles)

Providing additional treatment for drug offenders.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Directs the division of alcohol and substance abuse in consultation with the secretary of the department of corrections, the sentencing guidelines commission, the association of county human services, the Washington state association of drug court professionals, and any other organization deemed by the group to be necessary to

establish a fair and equitable method to distribute funds from the criminal justice treatment account to counties.

Provides that, beginning in fiscal year 2004, seventy percent of the funds in the account shall be subject to this distribution formula. The remaining thirty percent of the funds in the account shall be distributed as grants.

Directs the county chemical dependency specialist in consultation with the county prosecutor, county sheriff, and county superior court to jointly submit a plan for disposition of all the funds provided from the criminal justice treatment account within that county. The funds shall be used solely to provide approved alcohol and substance abuse treatment pursuant to RCW 70.96A.090.

Encourages counties to consider regional agreements for the efficient delivery of treatment under this act.

Appropriates the sum of two million four hundred fifteen thousand dollars, or as much thereof as may be necessary, for the fiscal year ending June 30, 2003, from the general fund to the criminal justice treatment account for the purposes of this act.

-- 2001 REGULAR SESSION --

Mar 5 JUD - Majority; 1st substitute bill be substituted, do pass.
On motion, referred to Ways & Means.

SB 5492-S by Senate Committee on Environment, Energy & Water (originally sponsored by Senators Patterson, Carlson, Regala, Fraser, Horn, Haugen, Jacobsen and Kohl-Welles)

Providing incentives to reduce air pollution through the use of clean alternative fuel vehicles.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds it is important to begin addressing the negative impacts of continued gasoline and diesel fuel use. Addressing motor vehicle emissions is further needed because of the expected increases in population and vehicle miles traveled, which threaten to erode air quality gains made over the last decade.

Declares that, in order to make net progress in improving air quality, reducing the threat of climate change, and protecting public health and the environment, the legislature finds it is necessary to encourage the use of clean alternative fuel vehicles.

Provides that the Washington State University energy program, in consultation with the departments of ecology, revenue, and licensing; local governments; vehicle manufacturers and suppliers; and other interested parties shall collect and review the relevant data associated with the provisions of chapter ..., Laws of 2001 (this act) and evaluate the effectiveness of these incentives in improving air quality and increasing the use of clean alternative fuel vehicles.

Directs the Washington State University energy program to present its findings and make recommendations as appropriate to the legislature biennially on or before November 30th, beginning in 2004.

Repeals RCW 43.19.637.

-- 2001 REGULAR SESSION --

Mar 5 EEW - Majority; 1st substitute bill be substituted, do pass.

And refer to Ways & Means.

Referred to Ways & Means.

SB 5509-S by Senate Committee on Higher Education (originally sponsored by Senators Kohl-Welles, Hochstatter, Shin, Kline, Hargrove, Horn, Fairley, Sheahan, B. Sheldon, Prentice, McAuliffe, Roach and Costa)

Requiring institutions of higher education to use personal identifiers that are not social security numbers.

(AS OF SENATE 2ND READING 3/10/01)

Provides that institutions of higher education shall not use the social security number of any student, staff, or faculty for identification except for the purposes of employment, financial aid, research, assessment, accountability, transcripts, or as otherwise required by state or federal law.

Requires each institution of higher education to develop a system of personal identifiers for students to be used for grading and other administrative purposes. The personal identifiers may not be social security numbers.

Directs the institutions of higher education, in conjunction with the higher education coordinating board and the state board for community and technical colleges, to submit a report to the legislature by December 1, 2001, outlining the institution's personal identifier system.

Requires each institution of higher education to use its own existing budgetary funds to develop the system for personal identifiers. No new state funds shall be allocated for this purpose.

-- 2001 REGULAR SESSION --

2001	REGUETIK DEDDIGIT
5	HIE - Majority; 1st substitute bill be
	substituted, do pass.
	Passed to Rules Committee for second
	reading.
6	Made eligible to be placed on second
	reading.
8	Placed on second reading by Rules
	Committee.
10	1st substitute bill substituted.
	Rules suspended. Placed on Third
	Reading.
	Third reading, passed: yeas, 48; nays,
	0; absent, 1.
	568

- IN THE HOUSE -

Mar 14 First reading, referred to Higher Education.

SB 5593-S by Senate Committee on Labor, Commerce & Financial Institutions (originally sponsored by Senators Gardner, Prentice and Winsley) Changing the public accountancy act.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises the public accountancy act.

-- 2001 REGULAR SESSION --

Mar 5 LCF - Majority; 1st substitute bill be substituted, do pass.

And refer to Ways & Means.

Minority; do not pass.

Referred to Ways & Means.

Mar 8 WM - Majority; 2nd substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

Mar 9 Made eligible to be placed on second reading.

Mar 10 Placed on second reading by Rules Committee.

Mar 13 2nd substitute bill substituted.

SB 5670-S by Senate Committee on Judiciary (originally sponsored by Senators Costa, Kline, Long, Hargrove, Prentice, Thibaudeau, Eide, Regala, Shin, Franklin, Patterson and Jacobsen)

Changing provisions relating to operating a vessel while under the influence of intoxicating liquor or any drug.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises provisions relating to operating a vessel while under the influence of intoxicating liquor or any drug.

-- 2001 REGULAR SESSION --

Mar 5 JUD - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

Mar 12 Made eligible to be placed on second reading.

SB 5710-S by Senate Committee on Judiciary (originally sponsored by Senators McCaslin, Kline, Thibaudeau, Costa, Johnson, Hargrove, Rasmussen, Hale and Shin)

Amending the equal access to justice act.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that, when an agency has made an offer to participate in an alternative dispute resolution process, the appellant must participate in good faith or be precluded from applying for an award of attorneys' fees or expenses pursuant to RCW 4.84.340 through 4.84.360, and this act.

Provides that, despite the provisions of RCW 4.84.350, no fees or other expenses shall be awarded against an administrative tribunal for actions taken solely as an adjudicative body.

-- 2001 REGULAR SESSION --

Mar 5 JUD - Majority; 1st substitute bill be substituted, do pass.

On motion, referred to Ways & Means.

SB 5793-S by Senate Committee on Labor, Commerce & Financial Institutions (originally sponsored by Senators Thibaudeau, Deccio, Winsley and Prentice; by request of Insurance Commissioner)

Creating the holding company act for health care service contractors and health maintenance organizations.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Creates the holding company act for health care service contractors and health maintenance organizations.

-- 2001 REGULAR SESSION --

Mar 5 LCF - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

Mar 6 Made eligible to be placed on second reading.

Mar 10 Placed on second reading by Rules Committee.

Mar 13 1st substitute bill substituted.

Rules suspended. Placed on Third Reading.

Third reading, passed: yeas, 49; nays, 0; absent, 0.

SB 5847-S by Senate Committee on Labor, Commerce & Financial Institutions (originally sponsored by Senators Fraser and Prentice)

Sending a notice of dishonor to the drawer of a check.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares that failure to attach the affidavit of service to the notice of dishonor, or to provide or mail a copy within one business day of receiving a written request from the drawer or drawer's representative, shall operate as a forfeiture of any right to interest, collection costs, or attorneys' fees on the part of the person enforcing the check.

-- 2001 REGULAR SESSION --

Mar 5 LCF - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

SB 5905-S by Senate Committee on Labor, Commerce & Financial Institutions (originally sponsored by Senators Prentice, Swecker and Winsley) Concerning the negotiation, enforcement, and resolution of disputes regarding tribal/state gaming compacts under the federal Indian gaming regulatory act of 1988.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares that the state consents to the jurisdiction of the federal courts in actions brought by a tribe pursuant to the Indian gaming regulatory act of 1988 or seeking enforcement of a state/tribal compact adopted under the Indian gaming regulatory act, conditioned upon the tribe entering into such a compact and providing similar consent. This limited waiver of sovereign immunity shall not extend to actions other than those expressly set forth herein.

-- 2001 REGULAR SESSION --

Mar 5 LCF - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Passed to Rules Committee for second reading.

Mar 8 Placed on second reading by Rules Committee.

Mar 13 1st substitute bill substituted.

Rules suspended. Placed on Third Reading.

Third reading, passed: yeas, 29; nays, 20; absent, 0.

SB 5906-S by Senate Committee on Education (originally sponsored by Senators Rasmussen, Finkbeiner, McAuliffe, Eide, Regala, Kastama, Hewitt, Hochstatter and Kohl-Welles)

Creating the technology in education task force.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires the technology in education task force to develop recommendations about the use of technology and recommendations about funding technology in the schools after conducting a study. The study shall focus on the application of technology in grades three through twelve. The study shall be completed not later than November 1, 2001, and the recommendations shall be submitted to the education and fiscal committees of the house of representatives and the senate.

Requires the study to include but not be limited to:

- (1) The technology currently available in schools and school districts. Technology includes but is not limited to computers, local area networks, and access to electronic media on the internet;
- (2) Methods school districts are using currently to fund technology and recommendations for the future;
- (3) Plans to update the technology including any replacement schedules;
 - (4) Training in the use of technology;
 - (5) Integration of technology into the curriculum;
- (6) The different uses of technology in upper elementary grades, middle school, and high school; and
- (7) Applications of technology in schools in other states and how that technology is funded.

-- 2001 REGULAR SESSION --

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Mar 5	EDU - Majority; 1st substitute bill be
	substituted, do pass.
	Passed to Rules Committee for second
	reading.
Mar 8	Made eligible to be placed on second
	reading.
Mar 10	Placed on second reading by Rules
	Committee.
Mar 14	1st substitute bill substituted.
	Rules suspended. Placed on Third
	Reading.
	Third reading, passed: yeas, 47; nays,
	0; absent, 2.

SB 5909-S by Senate Committee on Environment, Energy & Water (originally sponsored by Senators Fraser, Regala, Spanel and Thibaudeau)

Revising financial responsibility requirements for vessels.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that the current financial responsibility laws for vessels and facilities are in need of update and revision. These changes are necessary due to the increased risks of spills, the length of time that has passed since the current standards were put in place, the recent changes that have occurred in federal statutory and case law, the comparative standards of other western states, and the recent experiences of other states with spills.

Encourages the department of ecology to work with the States/British Columbia oil spill task force, which was created by a memorandum of cooperation signed in 1989, to seek uniformity in the standards of financial responsibility for vessels and facilities.

Provides that, to assist the department in determining the proper levels of financial responsibility for onshore and offshore facilities, as required under RCW 88.40.025, the department shall contract for an independent economic analysis regarding adequate levels of financial responsibility. The analysis shall include consideration of the matters identified in RCW 88.40.025. The analysis shall be completed and delivered to the legislature and governor by September 1, 2002.

Declares that it is unlawful for any vessel required to have financial responsibility under chapter 88.40 RCW to enter or operate on Washington waters without meeting the requirements of this chapter or rules adopted under this chapter, except when necessary to avoid injury to the vessel's crew or passengers.

Appropriates the sum of one hundred thirty-three thousand six hundred ninety-eight dollars, or as much thereof as may be necessary, for the fiscal year ending June 30, 2002, from the state toxics control account to the department of ecology for the purposes of this act.

Appropriates the sum of three hundred thirty-five thousand six hundred eighty-six dollars, or as much thereof as may be necessary, for the fiscal year ending June 30, 2003, from the state toxics control account to the department of ecology for the purposes of this act.

-- 2001 REGULAR SESSION --

Mar 5 EEW - Majority; 1st substitute bill be substituted, do pass.

And refer to Ways & Means.

Referred to Ways & Means.

Mar 8 WM - Majority; 2nd substitute bill be substituted, do pass.

Minority; do not pass.

Passed to Rules Committee for second reading.

Mar 10 Made eligible to be placed on second reading.

Mar 12 Placed on second reading by Rules Committee.

Mar 13 2nd substitute bill substituted.

SB 5911-S by Senate Committee on Environment, Energy & Water (originally sponsored by

Senator Fraser)

Certifying water rights examiners.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares an intent to expedite the issuance of final water right certificates, superseding certificates, or certificates of change by providing for certification of individuals qualified to assist those who hold permits for development of water rights and those who have approval for change or transfer of existing water rights to complete the necessary proof of examination.

Provides that, by June 30, 2002, the department must adopt rules to establish certification procedures, qualifications, and fees for certified water rights examiners, and any other requirements not established by law for fulfilling the functions of certified water rights examiners.

-- 2001 REGULAR SESSION --

Mar 5 EEW - Majority; 1st substitute bill be substituted, do pass.

And refer to Ways & Means. Minority; do not pass.

On motion, referred to Rules.

Mar 10 Placed on second reading by Rules Committee.

SB 5912-S by Senate Committee on Environment, Energy & Water (originally sponsored by Senators Fraser, Morton, Regala, Patterson, Oke, Kohl-Welles and Haugen)

Siting energy facilities.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises provisions of chapter 80.50 RCW relating to energy siting.

Declares that no city or county comprehensive plan or zoning ordinance may preclude the siting of energy facilities. Authorizes the council to adopt standards by rule to guide cities and counties in determining whether a particular comprehensive plan or zoning ordinance provision may have a preclusionary effect on the siting of one or more types of energy facilities.

Creates the joint select committee on the energy facility site evaluation council.

Requires the joint select committee on the energy facility site evaluation council to undertake an evaluation of the operations of the council to assess means to enhance its efficiency. The assessment must include whether the efficiency of the siting process would be improved by conducting the process under the state environmental policy act in a particular sequence relative to the adjudicative proceeding.

Declares that the results of this assessment may include recommendations for administrative changes, statutory changes, or expanded staffing levels.

Requires the governor to implement the recommendations for enhanced efficiency of the energy facility siting process.

-- 2001 REGULAR SESSION --

Mar 5 EEW - Majority; 1st substitute bill be substituted, do pass. And refer to Ways & Means. Minority; do not pass. Referred to Ways & Means. Mar 8 WM - Majority; 2nd substitute bill be substituted, do pass. Minority: do not pass. Passed to Rules Committee for second reading. Mar 10 Made eligible to be placed on second reading. Mar 14 Rules Committee relieved of further consideration. Placed on second

SB 5914-S by Senate Committee on Environment, Energy & Water (originally sponsored by

reading.

Senator Fraser)

Concerning water rights on family farms.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that transfers of water rights established as family farm permits under chapter 90.66 RCW may be approved as authorized under this act and under RCW 90.03.380, 90.03.390, or 90.44.100 or chapter 90.80 RCW as applicable.

Declares that a water right issued as a family farm permit that is in compliance with chapter 90.66 RCW may be transferred to other land:

- (1) For use for agricultural irrigation purposes as authorized by RCW 90.66.060; or
- (2) For any purpose of use that is a beneficial use of water if the transfer is seasonal or temporary, except that use for agricultural irrigation purposes shall be as authorized by RCW 90.66.060.

Provides that a water right issued as a family farm permit, a publicly owned land permit, or a public water entity permit that is in compliance with this chapter is entitled to be issued a water right certificate as authorized by RCW 90.03.330.

Declares that, notwithstanding RCW 90.44.050, land from which a water right issued as a family farm permit under chapter 90.66 RCW has been transferred must obtain a permit to make any withdrawal of public ground water that was not in existence on July 1, 2001.

-- 2001 REGULAR SESSION --

Mar 5 EEW - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Passed to Rules Committee for second reading.

Mar 10 Placed on second reading by Rules Committee.

Mar 14 1st substitute bill substituted.

Rules suspended. Placed on Third Reading.

Third reading, passed: yeas, 31; nays, 18; absent, 0.

SB 5915-S by Senate Committee on Environment, Energy & Water (originally sponsored by Senators Patterson and Regala)

Selecting wetlands mitigation projects.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares an intent that this act improve the scientific basis for making decisions in site selection for wetlands mitigation projects, and further intends that this act maximize the cost-effectiveness of public and private investment in compensatory wetland mitigation projects.

Finds that recent studies of the effectiveness of compensatory wetland mitigation projects show that over seventy percent are failing. The principal reasons stem from failure during the permitting process to adequately investigate the practical relationships between the proposed project and the local water resources that will be associated with it.

Finds that, frequently, the original wetland functioned better than the mitigated wetland, such that a net loss of wetland area and functions frequently occurs in spite of the mitigation project.

Directs the department of ecology to review wetlands compensatory mitigation projects and evaluate the adequacy of hydrological information presented by a project proponent to determine the likelihood of success of the project.

-- 2001 REGULAR SESSION --

Mar 5 EEW - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Passed to Rules Committee for second reading.

Mar 10 Placed on second reading by Rules Committee.

SB 5922-S by Senate Committee on Environment, Energy & Water (originally sponsored by Senators T. Sheldon, Rasmussen, Honeyford, Fraser and Morton)

Making assurances regarding appeals from water rights decisions.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares an intent to assure that appeals of water right decisions regarding water rights subject to a general stream adjudication are governed by an appeals process that is efficient and eliminates unnecessary duplication, while fully preserving the rights of all affected parties.

-- 2001 REGULAR SESSION --

Mar 5 EEW - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

Mar 6 Made eligible to be placed on second reading.

SB 5925-S by Senate Committee on Environment, Energy & Water (originally sponsored by Senators Jacobsen, Honeyford, Fraser, Rasmussen and Morton)

Reusing waste water derived from food processing.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that the agricultural processing industry can play a critical and beneficial role in promoting the efficient use of water by having the opportunity to develop and reuse agricultural industrial reclaimed water from food processing.

Declares that the permit to apply agricultural industrial process water to agricultural water use shall be the permit issued under chapter 90.48 RCW to the owner of the agricultural processing plant who may then distribute the water through methods including, but not limited to, irrigation systems, subject to provisions in the permit governing the location, rate, water quality, and purpose.

Provides that, in cases where the department of ecology determines that a significant risk to public health exists, in land application of the water, the department must refer the application to the department of health for review and consultation.

Declares that the owner of the agricultural processing plant who obtains a permit under this section has the exclusive right to the use of any agricultural industrial process water generated from the plant and to the distribution of such water through facilities including irrigation systems. Use and distribution of the water by the owner is exempt from the permit requirements of RCW 90.03.250, 90.03.380, 90.44.060, and 90.44.100.

-- 2001 REGULAR SESSION --

Mar 5	EEW - Majority; 1st substitute bill be
	substituted, do pass.

Passed to Rules Committee for second reading.

Mar 10 Placed on second reading by Rules Committee.

Mar 13 1st substitute bill substituted.

Rules suspended. Placed on Third Reading.

Third reading, passed: yeas, 47; nays, 2; absent, 0.

SB 5986-S by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Franklin, Kastama, Long, Regala and Hargrove)

Regulating county or local government-owned psychiatric facilities.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Clarifies licensing for public psychiatric facilities.

-- 2001 REGULAR SESSION --

Mar 5 HEA - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Passed to Rules Committee for second reading.

Mar 10 Made eligible to be placed on second reading.

Mar 12 Placed on second reading by Rules Committee.

Mar 14 1st substitute bill substituted.

Rules suspended. Placed on Third Reading.

Third reading, passed: yeas, 46; nays, 0; absent, 3.

SB 5993-S by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Oke, Spanel, Winsley and Thibaudeau)

Revising limitations on smoking in public places.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Removes the discretion of owners or managers of restaurants, card rooms, and bowling alleys to choose to allow smoking areas other than in a lounge, bar, or other area where persons under eighteen years of age are not permitted to enter or remain.

-- 2001 REGULAR SESSION --

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Mar 5	HEA - Majority; 1st substitute bill be
	substituted, do pass.
	On motion, referred to Ways & Means.
Mar 8	Passed to Rules Committee for second
	reading without recommendation.
	Passed to Rules Committee for second
	reading.
Mar 9	Made eligible to be placed on second
	reading.
Mar 10	Placed on second reading by Rules
	Committee.
Mar 12	1st substitute bill substituted.
	Floor amendment(s) adopted.
	Rules suspended. Placed on Third
	Reading.
	Third reading, passed: yeas, 35; nays,
	14; absent, 0.

SB 6000-S by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Thibaudeau, Hale, Deccio, B. Sheldon, Costa, Sheahan, Hochstatter, Regala, Kastama, McAuliffe, Morton, Kohl-Welles, Finkbeiner, Jacobsen, Honeyford, Swecker, Prentice, Long, Winsley, Benton, Fraser, Oke, Hargrove, Spanel, Shin, Stevens, McCaslin, Fairley, Zarelli, Constantine, Brown, Patterson, Gardner and Franklin)

Authorizing optometrists to use and prescribe approved drugs under certain conditions.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Authorizes optometrists to use and prescribe approved drugs for diagnostic or therapeutic purposes without limitation upon the methods of delivery in the practice of optometry.

-- 2001 REGULAR SESSION --

Mar 5 HEA - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

Mar 9 Made eligible to be placed on second reading.

Mar 13 Placed on second reading by Rules Committee.

SB 6027-S by Senate Committee on Environment, Energy & Water (originally sponsored by Senators Fraser, Winsley and Finkbeiner; by request of Governor Locke)

Creating the diversification of electricity supply and demand management act.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires that by January 1, 2007, and each year thereafter through December 31, 2011, each electric utility shall ensure that at least five percent of its resources used to

serve its Washington customers are qualified diversity resources. Of the five percent, not less than one and one-quarter percent must be alternative energy resources and not less than one and one-quarter percent must be conservation and efficiency resources.

Requires that, by January 1, 2012, and each year thereafter, each electric utility shall ensure that at least ten percent of its resources used to serve its Washington customers are qualified diversity resources. Of the ten percent, not less than two and one-half percent must be alternative energy resources and not less than two and one-half percent must be conservation and efficiency resources.

Declares that an electric utility that as of March 1, 2001, owns or has under contract sufficient resources to meet one hundred percent of its forecasted needs to serve its customers is exempt from this act until such time as those resources are no longer sufficient to serve at least ninety-five percent of its forecasted needs, or January 1, 2009, whichever is earlier.

Provides that, by January 1, 2007, and each year thereafter through December 31, 2011, each natural gas distribution utility that provides gas services within two or more counties shall ensure that at least two and one-half percent of its resources used to serve its Washington retail customers are conservation and efficiency resources.

Requires that, by January 1, 2012, and each year thereafter, each natural gas distribution utility that provides gas services within two or more counties shall ensure that at least five percent of its resources used to serve its Washington retail customers are conservation and efficiency resources.

Declares that, if chapter . . . (House Bill No. 1404, Senate Bill No. 5539, or other similar legislation), Laws of 2001 does not become law by June 30, 2001, section 10 of this act is null and void.

-- 2001 REGULAR SESSION --

Mar 5 EEW - Majority; 1st substitute bill be substituted, do pass.

And refer to Ways & Means.

Minority; do not pass.

Referred to Ways & Means.

Mar 8 WM - Majority; 2nd substitute bill be substituted, do pass.

Minority; do not pass.

Passed to Rules Committee for second reading.

Mar 10 Placed on second reading by Rules Committee.

Mar 14 2nd substitute bill substituted.

SB 6076-S by Senate Committee on Judiciary (originally sponsored by Senators Kline, McCaslin, Oke, T. Sheldon, Snyder, Hargrove and Rasmussen; by request of Department of Fish and Wildlife)

Modifying the powers and duties of fish and wildlife law enforcement officers.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Declares that fish and wildlife officers who are not ex officio officers shall have and exercise, throughout the state, such police powers and duties as are vested in sheriffs and peace officers generally.

Requires all fish and wildlife officers employed after the effective date of this act to successfully complete the basic law enforcement academy course, known as the basic course, sponsored by the criminal justice training commission, or the basic law enforcement equivalency certification, known as the equivalency course, provided by the criminal justice training commission.

Declares that nothing in this act or RCW 10.93.020 confers membership to such officers in the Washington law enforcement officers' and fire fighters' retirement system under chapter 41.26 RCW.

-- 2001 REGULAR SESSION --

Mar 5 JUD - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

Mar 9 Placed on second reading by Rules Committee.

Mar 12 1st substitute bill substituted.

Rules suspended. Placed on Third Reading.

Third reading, passed: yeas, 42; nays, 4; absent, 3.

SB 6078-S by Senate Committee on Health & Long-Term Care (originally sponsored by Senator Thibaudeau; by request of Insurance Commissioner)

Concerning the issuance of a medicare supplement policy or certificate.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises provisions relating to the issuance of a medicare supplement policy or certificate.

-- 2001 REGULAR SESSION --

Mar 5 HEA - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second reading.

Mar 10 Made eligible to be placed on second reading.

Mar 13 Placed on second reading by Rules Committee.

SB 6108-S by Senate Committee on Environment, Energy & Water (originally sponsored by

Senator Fraser)

Modifying the issuance of a water right certificate.

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Amends RCW 90.03.330 relating to conducting the proof examination for issuance of a water right certificate.

-- 2001 REGULAR SESSION --

Mar 5 EEW - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Passed to Rules Committee for second reading.

Mar 10 Placed on second reading by Rules Committee.

SB 6148 by Senators Jacobsen, Thibaudeau, Horn, Finkbeiner, Eide, Constantine, Patterson, McDonald, Prentice and Kohl-Welles

Creating the Puget Sound transportation commission.

Finds that a single statewide board whose members are appointed by the governor and which is assisted by regional advisory committees can be more effective than separate local jurisdictions at planning and funding regional transportation improvement.

Declares that it is the policy of the state of Washington to enable the creation of a statewide board and regional committees to plan and fund regional transportation needs.

Requires the governor to designate urban congestion districts. The boundary lines of these districts must meet the criteria established in this chapter.

Provides that the commission, with the advice of the corridor advisory boards, shall designate transportation projects, exclusive of maintenance and preservation, that will be funded under this act.

Requires the commission to create a corridor advisory board for each urban congestion district designated by the governor.

Authorizes the commission to impose, within an urban congestion district, the following voter-approved local option funding sources:

- (1) An excise tax of up to two dollars per month per employee on all employees located within the district, measured by the number of full-time equivalent employees. This tax may not be imposed within a county that is already imposing an excise tax under RCW 81.100.030 or within the jurisdiction that is already imposing an employee tax under RCW 81.104.150;
- (2) A local option vehicle license fee of up to seventyfive dollars per vehicle;
 - (3) Tolls on road improvements;
- (4) A local option motor vehicle fuel tax of up to six cents per gallon; and
- $(\bar{5})$ A local option commercial vehicle charge of up to one hundred fifty dollars per commercial vehicle.

Declares that no taxes may be imposed without a vote of the people within the boundaries of the district on a referendum.

Directs the commission to use as a guide the following benchmarks when choosing projects by selecting projects that move towards the following benchmarks:

(1) Traffic congestion on urban interstate highways does not exceed the national mean for interstate highways;

- (2) Driver delay in metropolitan areas does not exceed the national mean for metropolitan areas;
- (3) The number of traffic accidents on systems throughout the state continues to decline;
- (4) Air quality is maintained at federally required levels;
- (5) Freight mobility is accommodated within the transportation system; and
- (6) Overall hours of travel delay per person in congested corridors are reduced to and maintained at reasonable levels.

-- 2001 REGULAR SESSION --

Mar 14 First reading, referred to Transportation.

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